

1
2 BILL NO. G-75-11-48 (AS AMENDED)
3

4 GENERAL ORDINANCE NO. G-30-75
5

6 AN ORDINANCE providing for indemnity for certain
7 persons involved in law suits and providing further
8 for the payment of judgments and compromise settlements
9

10 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
11 WAYNE, INDIANA:

12 SECTION 1. The City shall provide legal services to any officer, em-
13 ployees or agent of the City, and any former officer, employee or agent of the City,
14 who has been sued, or who is hereafter sued, or against whom a claim has been made
15 or may hereafter be made relative to damages or liability arising out of actions or
16 failures to act done in good faith in the performance of duty.

17 SECTION 2. The City shall hold harmless any officer, employee or
18 agent, or former officer, employee or agent, from any liability or damages if it is
19 determined that the act or failure to act which gave rise to liability or damages was
done in good faith in the performance of duty, provided however, this ordinance
shall have no application to any case where the City of Fort Wayne or state of
Indiana may bring an action against an officer, employee or agent, or former
officer, employee or agent.

20 SECTION 3. If any section, clause, sentence, paragraph, part or
21 provision of this Ordinance shall be held invalid by any court, it shall be
22 conclusively presumed that this Ordinance would have been passed by the Common
23 Council without such invalid section, clause, sentence, paragraph, part or
24 provision.

25 SECTION 4. This Ordinance shall be in full force and effect from and
26 after its passage and approval by the Mayor.
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29 John Nuckols
30 Councilman
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Read the first time in full and on motion by Nuckols, seconded by Henry, and duly adopted; read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 11-25-75

Charles W. Stevenson
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Henry, and duly adopted, placed on its passage. Passed ~~LOST~~ by the following vote:

TOTAL VOTES	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____
<u>HUNTER</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____	_____
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____

DATE: 12-23-75

Charles W. Stevenson
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 9-30-75 on the 23rd day of December, 1975.

ATTEST:

(SEAL)

Charles W. Stevenson
CITY CLERK

James S. Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of December, 1975, at the hour of 4:00 o'clock P.M., E.S.T.

Charles W. Stevenson
CITY CLERK

Approved and signed by me this 29th day of December, 1975, at the hour of 9:00 o'clock A.M., E.S.T.

John H. Laff
MAYOR

Bill No. G-75-11-48

(as amended)

Hold 1d
12/9

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
providing for indemnity for certain persons involved in law suits and providing
further for the payment of judgments and compromise settlements

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do ^(as amended) PASS.

Eugene Kraus, Dr. - Chairman

John Nuckols - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

Donald J. Schmidt

Samuel Talarico

John Hancock
Chicago & Sedgwick
and Co Boston

Samuel J. Talarico

DATE 12/23/55 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

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2 BILL NO. G-75-11-48 (as amended)
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12 who has been sued, or who is hereafter sued, or against whom a claim has been made
13 or may hereafter be made relative to damages or liability arising out of actions or
14 failures to act done in good faith in the performance of duty.
15

SECTION 2. The City shall hold harmless any officer, employee or
agent, or former officer, employee or agent, from any liability or damages if it is
determined that the act or failure to act which gave rise to liability or damages was
done in good faith in the performance of duty.

SECTION 3. If any section, clause, sentence, paragraph, part or
provision of this Ordinance shall be held invalid by any court, it shall be conclu-
sively presumed that this Ordinance would have been passed by the Common Council
without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 4. This Ordinance shall be in full force and effect from and
after its passage and approval by the Mayor.

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35

Dad B. Ober

John Stuckless
John H. Ladd

PRESENTATION OF NATIONAL COLORS

SERGEANT-AT-ARMS, JERRY MUNGOVAN & SAM REVETT

ROLL CALL OF MEMBERS

CHARLES W. WESTERMAN, CITY CLERK

COMMUNICATIONS

- A. COMMON COUNCIL COMMITTEE APPOINTMENTS FOR 1976 ---- Confirming the appointments of the Standing Committees of the 1976 Common Council of Fort Wayne, duly appointed by James S. Stier, elected president of Common Council
- B. From James S. Stier, Council President to Mayor Robert E. Armstrong - January 6, 1976
- C. From Mayor Robert E. Armstrong to Common Council - January 12, 1976
- D. From Mayor Robert E. Armstrong to Common Council - VETO MESSAGE - January 9, 1976
- F. From Mayor Robert E. Armstrong to Common Council - January 2, 1976
- G. From Mayor Robert E. Armstrong to Charles W. Westerman, City Clerk - January 1, 1976
- H. From Mayor Robert E. Armstrong to Common Council - January 2, 1976
- I. From Charles W. Westerman, City Clerk to Common Council - January 13, 1976
- J. From City Controller the monthly financial statement for the month of November, 1975
- K. From Mayor Ivan A. Lebamoff - Approval of Ordinances December 29, 1975
- L. From City Plan Commission - (3) Three Communications - December 29 & 29, 1975, and January 6, 1976
- M. From Director of Public Safety - (1) One Communication - January 12, 1976

COUNCIL JOURNAL APPROVAL - November 25, 1975

ORDINANCES ON SECOND READING

MISCELLANEOUS BUSINESS

CHAIR OPEN FOR COMMENTS - FROM COUNCILMEN AND CITIZENS

RETIREMENT OF COLORS

ADJOURNMENT

Prepared by the Office
of the City Clerk
Charles W. Westerman

Provided however, this ordinance
shall have no application to any case
where the city, or state of Indiana may
bring an action against an officer, employee
or agent, or former officer, employee or agent.

amended by D. Schmit - 12-23-75 -

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE **GENERAL**

G-75-11-48

DEPARTMENT REQUESTING ORDINANCE

SYNOPSIS OF ORDINANCE Providing for legal representation for certain persons involved in law suits and providing further, for the payment of judgments and compromise settlements

EFFECT OF PASSAGE

EFFECT OF NON-PASSAGE

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS)

ASSIGNED TO COMMITTEE (PRESIDENT)

Regulation 66.